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SECRETARIAT
OF
THE ODISHA LEGISLATIVE ASSEMBLY
NOTIFICATION

The 11th December, 2015

No.12902/L.A.—The following Bill which has been introduced in the Odisha Legislative Assembly on the 11th December, 2015 is herewith published under rule 68 of the Rules of Procedure and Conduct of Business in the Odisha Legislative Assembly for general information.

THE ODISHA DISTRICT PLANNING COMMITTEES (AMENDMENT) BILL, 2015

**A
BILL**

TO AMEND THE ODISHA DISTRICT PLANNING COMMITTEES ACT, 1998

BE it enacted by the Legislature of the State of Odisha in the Sixty-sixth Year of the Republic of India as follows :—

Short title and
commencement.

1.(1) This Act may be called the Odisha District Planning Committees (Amendment) Act, 2015.

(2) It shall come into force on such date as the State Government may, by notification, appoint.

Amendment
of section 2.

2. In the Odisha District Planning Committees Act, 1998 (hereinafter referred to as the principal Act), in section 2, for clause (d), the following clause shall be substituted, namely:—

Odisha Act
8 of 1998.

“(d) “Municipality” means a Notified Area Council or a Municipal Council constituted under the Odisha Municipal Act, 1950 or a Municipal Corporation constituted under the Odisha Municipal Corporation Act, 2003;”

Odisha Act 23
of 1950.

Odisha Act 11
of 2003.

Amendment
Of section 3.

3. In the principal Act, in section 3, –

(a) in sub-section (3), –

(i) for clause (i), the following clause shall be substituted namely:—

“(i) a Minister in the Council of Ministers of the State or a Member of the Legislative Assembly of the State representing the constituency which comprise wholly or partly any area of the district, as may be nominated by the Government, who shall be the Chairperson”

(ii) after the proviso, the following proviso shall be inserted, namely:—

“Provided further that as nearly as may be, but not less than one-half of the total number of elected members shall be reserved for women.”

(b) after sub-section (3), the following sub-section shall be inserted, namely:—

“(3-a) The Vice-Chairperson shall be nominated by the Government from among the elected members:

“Provided that where the Chairperson so nominated is not a woman, the office of the Vice-Chairperson shall be filled up by a woman.”

(c) for sub-section (5), the following sub-section shall be substituted, namely:—

“(5) In absence of Chairperson, the Vice-Chairperson shall preside over the meeting of the Committee and in case both Chairperson and Vice-Chairperson remain absent, the members present in a meeting shall choose one from among themselves to preside over the meeting.”

Amendment
of section 4.

4. In the principal Act, for section 4 including its marginal heading, the following section shall be substituted namely:—

“Term of
office of
members.

4.(1) The term of office of nominated member, referred to in clause (iii) of sub-section (3) of section 3, shall be three years commencing from the date of his nomination unless removed earlier.

(2) The term of office of elected members shall be three years commencing from the date of his election unless removed earlier:

Provided that the term of office of every elected member shall be co-terminus with his membership in the Zilla Parishad or, as the case may be, the Municipality.”.

Amendment
of section 5.

5. In the principal Act, in section 5, after sub-section (1), the following proviso shall be added, namely :-

“Provided that the Committee while preparing the integrated draft development plan for the district shall take assistance of as many as Technical Committees, by whatever name called, to be constituted by the Government at the District level, Panchayats level and Municipalities level, consisting of such members which shall perform such functions as may be prescribed.”

STATEMENT OF OBJECTS AND REASONS

In accordance with the mandate of the Constitution, the State Legislature enacted a law called the Odisha District Planning Committee Act, 1998 (Odisha Act 8 of 1998) for the Constitution of the District Planning Committee at the district level to consolidate the plans prepared by the Panchayats and Municipalities in the district and to prepare development plan for a district.

There is no such provision in the Act regarding tenure of Expert Members, term of elected members for 03 years, reservation of women representation, nomination of one Member of Odisha Legislative Assembly by the Government as Chairperson of District Planning Committee (DPC) and one elected member as Vice-chairperson of the member from among the elected members present in the meeting to preside over the meeting of the DPC in absence both the Chairperson and Vice-chairperson and constitution of technical committees at district and sub-district level to assist the DPC.

With an objective of revamping planning process in the State to make it more professional and people oriented, there is felt need to infuse more dynamism and democratic process to the decision making of the DPC in the changing development scenario/ needs of the district and avoid gender disparity and timely submission District Plan for its integration in the State Plan, the State Government proposed to bring amendments to the Sections 2,3,4 and 5 of the Odisha District Planning Committee Act, 1998.

The Bill seeks to achieve the above objectives.

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